

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Cañones Creek

MOTION TO SET ASIDE ENTRY OF DEFAULT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and pursuant to Fed. R. Civ. P. 55(c) respectfully requests the Court to set aside the entry of default of the for the following defendant in the Cañones Creek subsection of Section 7:

John D. Marrow

CHCC-001-0007

As grounds therefore Plaintiff states:

1. The Clerk’s Certificate of Default with respect to the above-named defendant was entered on January 18, 2005 (Docket No. 7714).
2. The above-named defendant recently contacted the State to discuss the State’s offer concerning his water rights in Section 7, and he has signed the State’s proposed Consent Order and forwarded the approved order to the State.
3. Good cause exists to set aside the entry of default with respect to the defendant named above.

WHEREFORE, the Plaintiff State of New Mexico *ex rel.* State Engineer requests the Court to

set aside the entry of default for defendant John D. Marrow.

DATED: April 8, 2005

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I hereby certify that copies of the above Motion to Set Aside Entry of Default were mailed to following persons on April 11, 2005.

/s/ Ed Newville
Edward G. Newville

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